

Panaji, 28th June, 1990 (Ashada 7, 1912)

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### GOVERNMENT OF GOA

#### Department of Personnel

Order

No. 6-66-88-PER

In pursuance of the Judgment of the High Court of Judicature at Bombay, Panaji Bench (Goa) dated 22-12-1989 in Writ Petitions No. 245 and 254 of 1987 and 120, 128 and 129 of 1988 and on the recommendations of the Selection Committee as conveyed by Goa Public Service Commission vide their letter No. COM/II/11/42(1)/90 dated 23-5-1990, the Government is pleased to promote and appoint under Rule 16 of the Goa Civil Service Rules, 1967, read with Rules 5(1) (b) (i) of the said Rules, the following Officers who hold substantive posts included in Schedule II of the said rules, to hold Grade II substantive posts included in Schedule I of the said Rules with effect from the dates shown in column (3) against the names of the Officers:—

Sl. No.	Name of the Officer	Date of appointment
1	2	3
1.	Shri G. H. Mascarenhas	19-7-1983 (Retired)
2.	Shri V. A. P. Mahajan	19-7-1983
3.	Shri J. I. Antani	19-7-1983 (Retired)
4.	Shri N. D. Vengurlekar	19-7-1983 (Retired)
5.	Shri M. S. Sail	19-7-1983
6.	Shri R. V. Durbhatkar	19-7-1983
7.	Shri K. U. Naik	19-7-1983
8.	Shri K. N. S. Nair	22-10-1983
9.	Shri N. P. Gaunekar	22-10-1983
10.	Shri J. L. Lobo	1-4-1985 (Retired)
11.	Shri B. V. Desai	1-5-1985
12.	Shri A. P. Panvelkar	17-3-1986
13.	Shri S. M. Naik	17-3-1986
14.	Kum. L. T. Menezes	17-3-1986 (Retired)
15.	Shri S. D. Desai	17-3-1986
16.	Shri U. D. Kamat	17-3-1986
17.	Shri D. S. Shirodkar	17-3-1986
18.	Shri S. D. Sadhale	29-10-1986
19.	Shri Prabhakar Sardessai.	29-10-1986
20.	Shri R. N. P. Sardessai	29-10-1986 (Retired)
21.	Shri L. J. Menezes Pais	29-10-1986
22.	Shri A. V. Pimenta	29-10-1986
23.	Shri Victorine Rodrigues	29-10-1986 (Retired)
24.	Shri Lucas Botelho	21-7-1987 (Retired)
25.	Shri Ashok Ingle	1-8-1987 (Retired)
26.	Shri S. K. Usgaonkar	1-12-1988
27.	Shri D. P. Anvekar	2-8-1989
28.	Shri M. N. Bhartiya	1-4-1990

2. The above officers shall be on probation for a period of 2 years from the date of their appointment.

3. All the Officers shall continue to hold the present posts held by them until further orders.

4. This order is issued in supersession of the Government Orders No. 3/6/76-PER (Vol.II) dated 8-12-1983, No. 6/10/84-PER-(Vol.III) dated 16-5-1985 and No. 6/35/86-PER dated 21-9-1987.

By order and in the name of the Governor of Goa.

P. V. Jayakrishnan, Chief Secretary.

Panaji, 13th June, 1990.

Order

No. 6-66-88-PER, (I)

Read: Order No. 6-66-98-PER dated 13-6-1990.

In terms of proviso to Rule 22 of Goa Civil Service Rules, 1967, the Govt. is pleased to exempt the following Officers of Goa Civil Service from the training and departmental examination prescribed vide Notification No. 5/27/83-PER dated 11-4-1984 and confirm them in the Civil Service with effect from the dates shown in column No. 3 in terms of Rule 23 of Goa Civil Service Rules, 1967.

Sl. No.	Name of the Officer	Date of Confirmation
1	2	3
1)	Shri V. A. P. Mahajan	19-7-1985
2)	Shri N. D. Vengurlekar	19-7-1985 (Retired)
3)	Shri M. S. Sail	19-7-1985
4)	Shri R. V. Durbhatkar	19-7-1985
5)	Shri K. U. Naik	19-7-1985
6)	Shri K. N. S. Nair	22-10-1985
7)	Shri N. P. Gaunekar	22-10-1985
8)	Shri J. L. Lobo	1-4-1987 (Retired)
9)	Shri B. V. Desai	1-5-1987
10)	Shri A. P. Panvelkar	17-3-1988
11)	Shri S. M. Naik	17-3-1988
12)	Kum. L. T. Menezes	17-3-1988 (Retired)
13)	Shri S. D. Desai	17-3-1988
14)	Shri U. D. Kamat	17-3-1988
15)	Shri D. S. Shirodkar	17-3-1988
16)	Shri S. D. Sadhale	29-10-1988
17)	Shri Prabhakar Sardessai	29-10-1988
18)	Shri R. N. P. Sardessai	29-10-1988 (Retired)
19)	Shri L. J. Menezes Pais	29-10-1988
20)	Shri A. V. Pimenta	29-10-1988

By order and in the name of the Governor of Goa.

P. V. Jayakrishnan, Chief Secretary.

Panaji, 13th June, 1990.

*Handwritten signature and date 17/9/90*

## Order

No. 6/66/88-PER(VI)

Read: Order No. 6/66/88-PER(V) dated 13-6-1990.

In pursuance of the Judgment of the High Court of Judicature at Bombay, Panaji Bench (Goa) dated 22-12-1989 in Writ Petition Nos. 245 and 254 of 1987 and Nos. 120, 128 and 129 of 1988 and on the recommendation of the Selection Committee as conveyed by Goa Public Service Commission vide their letter No. COM/II/11/42(1)/90 dated 23-5-1990, the Government is pleased to promote and appoint under Rule 16 of the Goa Civil Service Rules, 1967, read with Rule 5(1)(b)(i) of the said Rules with immediate effect the following Officers who hold substantive posts included in Schedule II of the said Rules, to hold Grade II substantive posts included in Schedule I of the said Rules:—

1. Shri J. M. R. Almeida.
2. Shri S. B. S. Kakodkar.
3. Shri P. W. Rane Sardessai.
4. Shri Subhash V. Elekar.
5. Shri B. F. Coutinho.
6. Shri S. V. Badri.

2. The above Officers are appointed against 6 vacancies falling in the direct recruitment quota and diverted for being filled by promotion as one time measure in terms of Government order read above.

3. The above Officers shall be on probation for a period of 2 years.

4. All the above Officers except the Officer at Sl. No. (1) shall continue to hold the present post held by them until further orders. The posting of the Officer at Sr. No. (1) is issued separately.

By order and in the name of the Governor of Goa.

N. P. Gaunekar, Joint Secretary (Personnel).

Panaji, 13th June, 1990.

## Order

No. 6-66-88-PER(II)

Read: i) Government Order No. 6-66-88-PER dated 13-6-90.

ii) Government Order No. 6-35-86-PER dated 21-9-87.

Consequent upon implementation of the Judgment of the High Court of Judicature at Bombay, Panaji Bench (Goa) dated 22-12-1989 in Writ Petitions No. 245 and 254 of 1987 and 120, 128 and 129 of 1988 vide order cited at (i) above, the Government orders that the following officers who were appointed on substantive basis to Grade II posts of Goa Civil Service vide order cited at Sl. No. (ii) above shall officiate in Grade II posts of the Civil Service in terms of Government order No. 6/10/84-PER (Vol. III)-A dated 16-5-1985:—

- 1) Smt. Prabha Chandran.
- 2) Shri K. B. Surjuse.

By order and in the name of the Governor of Goa.

N. P. Gaunekar, Joint Secretary.

Panaji, 13th June, 1990.

## Order

No. 6/66/88-PER(IV)

Read: 1) Order No. 3/17/74-PER (Vol. IV) dated 21-9-1987.

2) Order No. 5/59/84-PER dated 9-6-1987 and Corrigendum dated 5/6-7-1988.

Consequent upon implementation of the Judgement of the High Court of Judicature at Bombay, Panaji Bench (Goa) dated 22-12-1989 in Writ Petitions No. 245 and 254 of 1987 and No. 120, 128 and 129 of 1988, the Government orders with immediate effect termination of ad-hoc appointments to Grade I (Selection Grade) posts of Goa Civil Service made vide orders referred to above in respect of S/Shri M. N. Bhartiya and J. M. R. Almeida.

2. On the termination of their appointments to Grade I post of Civil Service, Shri M. N. Bhartiya shall continue his present posting in Kala Academy on deputation until further orders. Shri J. M. R. Almeida is transferred and posted as Administrative Officer, Forest Department, Panaji vice Shri S. M. Naik promoted.

By order and in the name of the Governor of Goa.

N. P. Gaunekar, Joint Secretary.

Panaji, 13th June, 1990.

## Order

No. 24/6/90-PER

The Government is pleased to promote on ad-hoc basis Shri A. K. Singh, Grade II Officer of the Goa Police Service and presently functioning as Deputy Superintendent of Police (Foreigner's Branch) to Grade I (Selection Grade Rs. 3000-4500) of the said services with effect from the date he takes charge of the said post for a period of six months, and post him against the upgraded post of Principal, Police Training School, Valpoi.

2. The above ad-hoc promotion will not bestow on Shri Singh any claim for regular appointment and the services rendered on ad-hoc basis in the Grade will not count for the purpose of seniority in the Grade or for eligibility for promotion to the next higher grade.

3. Consequently Shri R. D. Lotlikar, Principal, Police Training School, Valpoi is transferred and posted as Deputy S. P. (Foreigner's Branch).

4. The ad-hoc promotion of Shri A. K. Singh is subject to the decision of Central Administrative Tribunal in original application No. 404/86.

By order and in the name of the Governor of Goa.

A. V. Pimenta, Under Secretary (Personnel).

Panaji, 18th June, 1990.

## Order

No. 6/16/74-PER(Vol. III)

Read: (i) Order No. 6/16/74-PER(Vol. III) dated 22-5-1989.

The term of deputation of Dr. S. K. Mali as officer on Special Duty in the Directorate of Social Welfare, is hereby extended for a further period of one year from 11-4-1990 to 10-4-1991.

By order and in the name of the Governor of Goa.

A. V. Pimenta, Under Secretary (Personnel).

Panaji, 20th June, 1990.

## Home (General) Department

## Order

No. 13/3/84-HD (G)

In exercise of the powers conferred by sub-section (3) of section 3 of the National Security Act, 1980 (Central Act 65 of 1980), the Government of Goa being satisfied having regard to the circumstances likely to prevail in any area within the local limits of the jurisdiction of the District Magistrate, North Goa District, Panaji and District Magistrate, South Goa District, Margao, that it is necessary so to do hereby directs that the said District Magistrates may also if satisfied as provided in sub-section (2) of section 3 of the said Act, exercise the powers conferred by the said sub-section within the local limit of their jurisdiction for a period of three months from the date of issue of this order.

By order and in the name of the Governor of Goa.

K. A. Satardekar, Under Secretary (Home).

Panaji, 14th June, 1990.

## Education Department

## Order

No. 14-18-83-Vol. II/EDN

The following Headmasters of Government High Schools of the Directorate of Education are hereby transferred and posted at the places shown against each of them in Col. No. 3 with immediate effect.

Sr. No.	Name of the Headmaster and his present posting	Place and the Govt. High School to which transferred
1.	Shri S. R. Patil, Headmaster, Govt. High School, Advol, Sattari.	Govt. High School, Nagargao Sattari vice Shri A. M. Aga.
2.	Shri S. V. Rane, Headmaster, Govt. High School, Thane, Sattari.	Govt. High School, Dabem, Sattari, (existing vacancy)
3.	Shri Abdul M. Aga, Headmaster, Govt. High School, Nagargao, Sattari.	Govt. High School, Thane, Sattari, vice Shri S. V. Rane.

The above officials will not be entitled to any TA/DA etc. because the transfers are at their own requests.

By order and in the name of the Governor of Goa.

A. P. Panvelkar, Under Secretary (Education).

Panaji, 18th June, 1990.

## Department of Cooperation

## Office of the Asstt. Registrar of Coop. Societies

## Order

No. AR/NZ/ABN/Inst/79

In exercise of the powers vested in me under the provisions of section 156 of the Maharashtra Coop. Societies Act, 1960, as applied to the Goa State I, M. J. Khorate, Asstt. Registrar of Coop. Societies, North Zone, Mapusa hereby empower the following officials of this Zone, to work as "Sale Officer" as defined in Rule 2, Sub-rule (h) of the Cooperative Societies Rules, 1962 to attach the sell the movable properties of defaulters and to execute any decree by attachment and sale of such property as per the procedure laid down in Rule 104 of the Cooperative Societies Rules 1962.

- 1) Shri Y. D. Parulekar, Sr. Auditor.
- 2) Shri J. N. T. Rodrigues, Jr. Auditor.
- 3) Smt. Suvarna S. Kesarkar, Jr. Auditor/Inspector.
- 4) Shri R. D. Sarshetty, Marketing Inspector.

Sd/- (M. J. Khorate), Asstt. Registrar of Coop. Societies, (North Zone).

Mapusa, 7th June, 1990.

## Department of Urban Development

## Notification

No. LSG/MUN/3182/68-C-PW&amp;UD

Read: Government Notification No. LSG/MUN/3182/68-C-PW&UD dated 1-3-1990.

In exercise of the powers conferred under Sub-Section (1) of Section 71 of the Goa, Daman and Diu Municipalities Act, 1968 (Act No. 7 of 1969), the Government hereby appoints Shri R. P. Pal as Director of Municipal Administration with effect from the date of taking over the charge of the post of Director of Municipal Administration.

By order and in the name of the Governor of Goa.

D. V. Sathe, Under Secretary (U. D.).

Panaji, 13th June, 1990.

## Revenue Department

## Notification

No. 22/21/90-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. L. A. for Re-aligning approaches for re-construction of bridges/culverts at Km. 0/0, 3/2, 6/5 & 8/3 of Cortalim Mormugao road (Rehabilitation of Primary School at Dabolim) Phase R.

And Whereas in the opinion of the Government the provision of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), are applicable.

Now, therefore, the Government hereby notifies under sub-section (1) of section 4 of the said Act that the said land is likely to be needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily Newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector/S. D. O. Mormugao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Deputy Collector/S. D. O. Mormugao.
3. The Executive Engineer, W. D. XIV, P.W.D. Fatorda Margao.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector/S. D. O. Mormugao for a period of 30 days from the date of publication of this Notification in the Official Gazette.

## SCHEDULE

(Description of the said land)

Taluka: Mormugao

Village: Dabolim

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
14/1	Narayan Appa Dessai. Narayan Mono Gaude. Santano Mesquita. Govind Vassu Kuttikar. Jose Caetano Belarmino Pereira. Belarmina Pereira. R. P. Fernandes. Jose Roque Vaz. Belarmino Pereira. Ligorio Furtado. Antonetta.	600.00

1	2	3
	Armenia Furtado Antonio Inacio Pereira. Joana D'Costa. Minguel Fernandes. Joaquim Rodrigues. Joao Pereira. Joao Paul Misquita. Antonio Rosario Lucas. Caetano Fernandes. Valeriano Rodrigues. Basilio Rodrigues. Filipe Rodrigues. Joao Vaz. Joao Misquita.	
	Boundaries: North: — South: — East: S. No. 14/1. West: —	
	Total .....	600.00

By order and in the name of the Governor of Goa.  
P. S. Nadkarni, Under Secretary (Revenue).  
Panaji, 13th March, 1990.

Corrigendum  
No. 22/180/89-RD  
Read: Notification No. 22/180/89-RD dated 22-2-1990 published in the Extraordinary No. 3 Official Gazette dated 26-2-1990, Series II, No. 47 and in two Newspapers (1) Gomantak dated 28-2-1990 and (2) Navhind Times dated 28-2-1990.  
The property indicated at Serial No. 4 of the above Notification, may be read as P. T. Sheet No/Chalta "No. 135/1/2" instead of No. 135/2/2.  
P. S. Nadkarni, Under Secretary (Revenue).  
Panaji, 19th June, 1990.

Public Health Department

Order  
No. 5/90/79-PHD (Vol. III)  
Read: Government Order of even number dated 16.6.1988.  
The resignation tendered by Dr. (Mrs) Sonia Moniz Pinto Rosario, Assistant Professor of Pathology, Goa Medical College, Panaji is accepted by the Government and she is relieved w.e.f. 7.6.90 (A. N.).  
There are no dues outstanding against her.  
By order and in the name of the Governor of Goa.  
L. J. Menezes Pais, Under Secretary (Health).  
Panaji, 12th June, 1990.

Order  
No. 5/104/83-I/PHD  
The transfer of the following officers under the Directorate of Health Services is hereby ordered with immediate effect in public interest:—

Sr. No.	Name of the Officers, designation and present posting	Designation and place of transfer
(1)	(2)	(3)
1.	Dr. Albert D'Souza, Medical Officer Primary Health Centre, Aldona.	Rural Medical Officer, Rural Medical Dispensary, Keri, Satari vice Dr. Flavio Furtado transferred.

(1)	(2)	(3)
2.	Dr. Flavio Furtado, Rural Medical Officer, Rural Medical Dispensary, Keri-Satari-Goa.	Medical Officer, Primary Health Centre, Aldona vice Dr. Albert D'Souza, transferred.
Dr. Albert D'Souza should move first Dr. Flavio Furtado shall not be entitled for transfer T. A.  By order and in the name of the Governor of Goa. L. J. Menezes Pais, Under Secretary (Health). Panaji, 18th June, 1990.		

Department of Mines

Order  
No. 96/431/88-Mines  
In exercise of the powers conferred by sub-section (2) of section 8 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957), read with sub-rule (2) of rule 24A of the Mineral Concession Rules, 1960, the Government of Goa hereby renews the mining lease with the previous approval of the Central Government in favour of Shri G. N. Agrawal (hereinafter referred to as 'The Lessee'), for undertaking mining operations for Iron ore in the area shown in the schedule appended to this Order for a period of 10 years subject to the special conditions as laid down hereunder to be incorporated in the lease deed which shall be executed by the Lessee and the Governor of Goa:—  
1. The Lessee shall carry out at his expenses such experiments on remedial measures as directed by the Director of Industries and Mines, Government of Goa or any other officer authorised by him and shall report the result to him.  
2. The Lessee shall allow, co-operate with and provide all facilities to the experts authorised by the Government to carry out research work or experiments on remedial measures in his leased area or dumping sites.  
3. The Lessee shall, at his own expenses undertake remedial measures to the satisfaction of the Director of Industries and Mines, Government of Goa (hereinafter called Director of Industries and Mines) to prevent damage to the agricultural or forest lands due to the flow of mining rejection or wastes or slimes resulting from his mining operations, within a reasonable time or such time as may be directed by the Director of Industries and Mines.  
4. If the Director of Industries and Mines or the officer authorised by him in this behalf, is of the opinion that any active dump causes or will cause damage to the agricultural or forest land, which cannot be prevented, he may by order in writing, direct to stop further dumping on such dump. No such order shall however be made unless the Lessee is afforded a reasonable opportunity of stating his case.  
5. The Lessee shall undertake to rehabilitate the land left over after the mining operations are concluded, through soil conservation measures to the satisfaction of the Government and within such reasonable time as the Government may by an order in writing specify.  
6. In the event of the failure on the part of the Lessee to undertake the aforesaid measures within the stipulated period, the Government without prejudice to any other action it may take against the Lessee, may take the requisite steps to rehabilitate the said land and recover the expenses incurred for such work from the Lessee as arrears of land revenue.  
7. The Lessee shall undertake necessary measures to consolidate the dumps by planting suitable species of grass, legumes, or trees, etc. as may be directed by the Director of Industries and Mines, from time to time.  
8. The Lessee shall undertake to plant elsewhere within the leased area at least as many trees as are removed during the mining operations.  
9. The Lessee shall not dump or allow it to be dumped any rejects at any point within a distance of 100 metres from the bank of any river or nallah and 50 metres from the lease

boundary, except with the previous written permission of the Government.

10. The Lessee shall not discharge or allow it to be discharged any muddy and slimy water from the beneficiation/washing plant and shall provide settling tanks of proper design and adequate capacity for settling solids so that only decanted water may overflow.

11. The Lessee shall undertake the work of desilting of drains and streams outside the leased area periodically to prevent them from being choked and shall provide check dams to facilitate the settling of suspended solids.

12. The Lessee shall take necessary steps not to overload or allow it to be overloaded the trucks carrying the ore/rejects from the leased area to any loading point or stockyard.

13. The Lessee shall make and pay such reasonable compensation to the owner or tenant or occupant of the land or property situated in the leased area or in the vicinity of the leased area which is damaged or injured or disturbed as a result of mining operations or due to the flow of mining rejects, slimes or wastes from the mine as the case may be, as may be assessed by the Collector, South Goa in accordance with the Law in force on the subject and shall indemnify or keep indemnified fully and completely the Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.

14. The Lessee shall obtain surface rights or obtain consent of the owner/occupier of land before entering the land for commencement of mining operations in the area.

Shri G. N. Agrawal shall on peril of revocation of this Order execute within a period of 180 days from the date of communication of this Order a deed of lease as contemplated under rule 31 of the Mineral Concession Rules, 1990.

#### SCHEDULE

District	Taluka	Village	Area in hectares
South Goa	Sanguem	Sigao & Colem	97.505 Ha.

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Mines).

Panaji, 21st November, 1990.

Order

No. 96/436/88-Mines

In exercise of the powers conferred by sub-section (2) of section 8 of the Mines and Minerals (Regulation and Development) Act, 1957 (Central Act 67 of 1957), read with sub-rule (2) of rule 24A of the Mineral Concession Rules, 1960, the Government of Goa hereby renews the mining lease with the previous approval of the Central Government in favour of Shri G. N. Agrawal (hereinafter referred to as 'The Lessee') for undertaking mining operations for Iron and Manganese ore in the area shown in the schedule appended to this Order for a period of 10 years subject to the special conditions as laid down hereunder to be incorporated in the lease deed which shall be executed by the Lessee and the Governor of Goa.

1. The Lessee shall carry out at his expenses such experiments on remedial measures as directed by the Director of Industries and Mines, Government of Goa or any other officer authorised by him and shall report the result to him.
2. The Lessee shall allow, co-operate with and provide all facilities to the experts authorised by the Government to carry out research work or experiments on remedial measures in his leased area or dumping sites.
3. The Lessee shall, at his own expenses undertake remedial measures to the satisfaction of the Director of Industries and Mines, Government of Goa (herein-

after called Director of Industries and Mines) to prevent damage to the agricultural or forest lands due to the flow of mining rejection or wastes or slimes resulting from his mining operations, within a reasonable time or such time as may be directed by the Director of Industries and Mines.

4. If the Director of Industries and Mines or the officer authorised by him in this behalf, is of the opinion that any active dump causes or will cause damage to the agricultural or forest land, which cannot be prevented, he may by order in writing, direct to stop further dumping on such dump. No such order shall however be made unless the Lessee is afforded a reasonable opportunity of stating his case.
5. The Lessee shall undertake to rehabilitate the land left over after the mining operations are concluded, through soil conservation measures to the satisfaction of the Government and within such reasonable time as the Government may by an order in writing specify.
6. In the event of the failure on the part of the Lessee to undertake the aforesaid measures within the stipulated period, the Government without prejudice to any other action it may take against the Lessee, may take the requisite steps to rehabilitate the said land and recover the expenses incurred for such work from the Lessee as arrears of land revenue.
7. The Lessee shall undertake necessary measures to consolidate the dumps by planting suitable species of grass, legumes, or trees, etc. as may be directed by the Director of Industries and Mines, from time to time.
8. The Lessee shall undertake to plant elsewhere within the leased area at least as many trees as are removed during the mining operations.
9. The Lessee shall not dump or allow it to be dumped any rejects at any point within a distance of 100 metres from the bank of any river or nallah and 50 metres from the lease boundary, except with the previous written permission of the Government.
10. The Lessee shall not discharge or allow it to be discharged any muddy and slimy water from the beneficiation/washing plant and shall provide settling tanks of proper design and adequate capacity for settling solids so that only decanted water may overflow.
11. The Lessee shall undertake the work of desilting of drains and streams outside the leased area periodically to prevent them from being choked and shall provide check dams to facilitate the settling of suspended solids.
12. The Lessee shall take necessary steps not to overload or allow it to be overloaded the trucks carrying the ore/rejects from the leased area to any loading point or stockyard.
13. The Lessee shall make and pay such reasonable compensation to the owner or tenant or occupant of the land or property situated in the leased area or in the vicinity of the leased area which is damaged or injured or disturbed as a result of mining operations or due to the flow of mining rejects, slimes or wastes from the mine as the case may be, as may be assessed by the Collector South Goa in accordance with the law in force on the subject and shall indemnify or keep indemnified fully and completely the Government against all claims which may be made by any person or persons in respect of any such damage, injury or disturbance and all costs and expenses in connection therewith.
14. The Lessee shall obtain surface rights or obtain consent of the owner/occupier of land before entering the land for commencement of mining operations in the area.

order execute within a period of 180 days from the date of communication of this Order a deed of lease as contemplated under rule 31 of the Mineral Concession Rules, 1960. Shri G. N. Agrawal shall on peril of revocation of this

## SCHEDULE

District	Taluka	Village	Area in Hectares
South Goa	Quepem	Maina	92.2430 Ha.

By order and in the name of the Governor of Goa.

*Subhash V. Elekar*, Under Secretary (Mines).

Panaji, 21st November, 1989.

## Order

No. 5/18/89-ILD

Whereas M/s. Shantilal Khushaldas & Bro. Pvt. Ltd., (hereinafter referred to as the 'said party') have vide their application dated 21-11-1988 sought for the renewal of the mining lease bearing No. 55 of 1952 for extraction of Fe/Mn ore over an area of 91.7400 Ha. situated at village Curdi, of Sanguem Taluka, State of Goa (hereinafter referred to as the 'said mining lease');

And whereas after scrutiny it is found that the said party has not submitted an approved mining plan as required under sub-rule (3) of rule 22 of the Mineral Concession Rules, 1960 (hereinafter referred to as the 'said rules');

And whereas a notice bearing No. 96/255/88-Mines/272 dated 7-2-1989 was issued to the said party as required under sub-rule (3) of rule 26 of the said rules;

And whereas the said party has failed to comply with the requirements of the said notice;

And whereas a notice bearing No. 5/18/89-ILD dated 26-7-89 was issued to the party calling upon them to attend the personal hearing in response to which their representatives attended the hearing. During the course of hearing it is submitted by the party that the mining plan is under preparation and yet to be submitted to the Indian Bureau of Mines, Margao, for approval.

And whereas the party was given an opportunity to submit the approved mining plan on or before 30-9-1989.

And whereas the party failed to submit the approved mining plan on or before 30-9-1989.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 26 of the Mineral Concession Rules, 1960, the Government of Goa hereby refuse to renew the said mining lease as the said party has failed to submit the approved mining plan.

*R. S. Sethi*, Secretary (Mines).

Panaji, 25th April, 1990.

## Order

No. 5/18-89-ILD

Whereas M/s. Shantilal Khushaldas & Bro. Pvt. Ltd., (hereinafter referred to as the 'said party') have vide their application dated 21-11-1988 sought for the renewal of the mining lease bearing No. 9 of 1953 for extraction of Fe/Mn ore over an area of 23.0000 Ha. situated at village Maina of Quepem Taluka, State of Goa (hereinafter referred to as the 'said mining lease');

And whereas after scrutiny it is found that the said party has not submitted an approved mining plan as required under sub-rule (3) of rule 22 of the Mineral Concession Rules, 1960 (hereinafter referred to as the 'said rules');

And whereas a notice bearing No. 96/327/88-Mines/277 dated 7-2-1989 was issued to the said party as required under sub-rule (3) of rule 26 of the said rules;

And whereas the said party has failed to comply with the requirements of the said notice;

And whereas a notice bearing No. 5/18/89-ILD dated 26-7-89 was issued to the party calling upon them to attend the personal hearing in response to which their representa-

tives attended the hearing. During the course of hearing it is submitted by the party that the mining plan is under preparation and yet to be submitted to the Indian Bureau of Mines, Margao, for approval.

And whereas the party was given an opportunity to submit the approved mining plan on or before 30-9-1989.

And whereas the party failed to submit the approved mining plan on or before 30-9-1989.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 26 of the Mineral Concession Rules, 1960, the Government of Goa hereby refuse to renew the said mining lease as the said party has failed to submit the approved mining plan.

*R. S. Sethi*, Secretary (Mines).

Panaji, 25th April, 1990.

## Order

No. 5/17/90-Mines

Whereas M/s. Sociedade Timblo Irmaos Ltd. (hereinafter referred to as the 'said party') have vide their application dated 21-11-1988 sought the renewal of the mining lease bearing No. 73 of 1952 for extraction of Fe/Mn ore over an area of 96.0000 Ha. situated at Village Aglote, Sanguem Taluka, State of Goa (hereinafter referred to as the 'said mining lease');

And whereas after scrutiny it is found that the said party has not submitted an approved mining plan as required under sub-rule (3) of rule 22 of the Mineral Concession Rules, 1960 (hereinafter referred to as the 'said rules');

And whereas a notice bearing No. 96/455/88-Mines dated 9-2-1990 was issued to the said party as required under sub-rule (3) of rule 26 of the said rules;

And whereas the said party has failed to comply with the requirements of the said notice;

And whereas a notice bearing No. 5/17/90-Mines dated 11-5-1990 was issued to the party calling upon them to attend the personal hearing in response to which their representative attended the said hearing. During the course of hearing it is submitted that the mining plan is still under preparation and yet to be submitted to Indian Bureau of Mines, Margao. As such, the party has requested to grant extension of time upto 31-7-1990 for submission of approved mining plan. In this connection, it is submitted that sufficient time was given to the party to produce the approved mining plan. The contention of the party, is therefore, unacceptable.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 26 of the Mineral Concession Rules, 1960, the Government of Goa hereby refuse to renew the said mining lease as the said party has failed to submit the approved mining plan.

*Dharam Dutt*, Secretary (Mines).

Panaji, 14th June, 1990.

## Order

No. 5/16/90-Mines

Whereas M/s. Sociedade Timblo Irmaos Ltd., (hereinafter referred to as the 'said party') have vide their application dated 21-11-1988 sought the renewal of the mining lease bearing No. 22 of 1955 for extraction of Iron ore over an area of 99.2350 Ha. situated at Village Quirlapale, Sanguem Taluka, State of Goa (hereinafter referred to as the 'said mining lease');

And whereas after scrutiny it is found that the said party has not submitted an approved mining plan as required under sub-rule (3) of rule 22 of the Mineral Concession Rules, 1960 (hereinafter referred to as the 'said rules');

And whereas a notice bearing No. 96/462/88 Mines, dated 9-2-1990 was issued to the said party as required under sub-rule (3) of rule 26 of the said rules;



And whereas the said party has failed to comply with the requirements of the said notice;

And whereas a notice bearing No. 5/16/90-Mines dated 11-5-1990 was issued to the party calling upon them to attend the personal hearing in response to which their representative attended the said hearing. During the course of hearing the representative submitted the written submission wherein the party has mentioned that the mining plan is still under preparation and yet to be submitted to the Indian Bureau of Mines, Margao. As such, the party has requested to grant extension of time upto 31-8-1990 for submission of approved mining plan. In this connection it is submitted that sufficient time was given to the party to produce the approved mining plan. The contention of the party, is therefore, unacceptable.

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 26 of the Mineral Concession Rules, 1960, the Government of Goa hereby refuse to renew the said mining lease as the said party has failed to submit the approved mining plan.

Dharam Dutt, Secretary (Mines).

Panaji, 14th June, 1990.

### Department of Labour

#### Order

No. 28/44/89-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

L. J. Menezes Pais, Under Secretary (Labour).

Panaji, 24th May 1990.

### IN THE INDUSTRIAL TRIBUNAL GOVERNMENT OF GOA AT PANAJI

(Before Shri S. V. Nevagi, Hon'ble Presiding Officer)

Reference No. IT/52/89

Workmen

— Party I

V/s

M/s. Kamat Engineering Company

— Party II

Workmen/Party I represented by Shri R. D. Mangueshker,  
Joint Secretary, Goa Trade & Commercial Workers' Union.

Employer/Party II represented by Adv. B. G. Kamat.

Panaji, Dated: 8-5-1990.

#### AWARD

This is a reference made by the Govt. of Goa, by its order No. 28/44/89-LAB dated 9-8-1989 with an annexure scheduled thereto which reads as follows:

"Whether the following demands raised by the Goa Trade and Commercial Workers' Union, the management of M/s. Kamat Engineering Company, Sancoale, Zuarinagar-Goa are justified?

#### DEMANDS

##### Demand No. I:

**Flat Rise:** It is demanded that each workman be given a Flat-Rise of Rs. 250/- per month on the existing basic as on 30-6-1988.

##### Demand No. II:

**Variable Dearness Allowance:** It is demanded that each workman be paid variable dearness allowances (VDA) at the rate of Rs. 1/50 per point rise over and above 600

(1960-100). The variable Dearness Allowance payable be computed and revised every quarter in the year.

##### Demand No. III:

**House Rent Allowance:** It is demanded that each workman be paid a house rent allowance of Rs. 150/- per month.

##### Demand No. IV:

**Travelling Allowance:** It is demanded that each workman be paid a travelling allowance of Rs. 150/- per month.

##### Demand No. V:

**Uniforms and Washing Allowance:** It is demanded that each workman be given two pairs of uniforms and be paid a sum of Rs. 25/- per month towards washing allowance.

##### Demand No. VI:

**Leave Facilities:** It is demanded that each workman be given 30 days Privilege Leave, 10 days of Casual Leave, 10 days of Sick Leave and 11 Holidays per annum.

If not, to what relief the workmen are entitled?

After the above Government reference was received and registered, notices were issued to the parties. The union for the workmen filed Claim Statement Exh-2. The management filed Written Statement Exh-3. The Union filed Rejoinder Exh-4 and I framed as many as seven issues which are at Exh-5.

Thereafter the matter was adjourned from time to time and it was lastly adjourned for evidence on 4-6-90. However, in the meantime the parties settled the matter and at their request I took the matter on the board today and the settlement is recorded before me. I am called upon to pass an award in terms of the settlement. Hence, today I pass the following Order.

#### ORDER

The request made by the workman through their union for a change in the service conditions is partly granted and the following will be the terms and conditions of the workmen of Party II/M/s. Kamat Engineering Company.

1. The pay scales of the workmen are revised and their revised pay scales shall be as per the annexure appended to this order. The annexure shall be a part of this award and the workmen shall get their wages as detailed in the annexure.
2. The workmen shall get the house rent allowance at the rate of Rs. 100 for the skilled workman and Rs. 75 for others.
3. The workmen shall get the conveyance allowance at the rate of Rs. 50/- per month for each workman.
4. The annual increment to the workmen shall be paid to each workman in the month of July, every year and every workman shall be paid two additional increments over and above the annual increments as on 1-7-89.
5. Each workman shall be given two pairs of uniforms per annum in the month of January each year and additionally each workman shall be paid a sum of Rs. 15/- per month towards washing allowance.
6. **Leave:** The following shall be the leave facilities available to the workmen:
 

Privilege Leave	20 days;
Casual Leave	7 days;
Sick Leave	9 days; &
Holidays	9 days.
7. The arrears accruing to each workman shall be paid to each workman on or before 15-6-1990 and the salary for the month of April, 1990 shall be paid in the month of May this year as per the revised terms of scales.
8. The existing benefits, facilities, privileges and other conditions of service which are available to the workmen but which are not changed by the settle-

ment shall continue to remain unchanged and subsisting during the operative period of this Award.

9. The parties shall maintain harmonious industrial relations and shall endeavour to resolve all issues through bilateral negotiations and by approaching the machinery set up by law/statute wherever any dispute arises between them.

10. The terms and conditions of service as per this award shall be effective from 1-7-1988 and they shall

remain in force till 31-12-1991 and thereafter they shall be terminable by either of the parties as per I. D. A., 1947.

There shall be no order as to costs.

Inform the Government accordingly about the passing of the Award.

S. V. Nevagi,  
Presiding Officer,  
Industrial Tribunal

Ref. No. IT/52/89

#### ANNEXURE

Kamat Engineering Company  
Effective from 1st July, 1988

Sr. No.	Name	Designation	Basic	HRA	Conv. All.	W. A.	Total	Exist.	Dif.
1.	Danai Sharma	Highly Sk. Fabricator	830	200	100	15	1145	950	195
2.	Subbraya Dessai	Semi - Sk.	500	75	50	15	640	450	190
3.	Vishwananth Talekar	Helper	450	75	50	15	590	420	170
4.	Shrikant Girkar	Helper	345	75	50	15	485	320	165
5.	Chandra Shekhar	Helper	425	75	50	15	565	400	165

#### PAY - SCALES

I	Highly-Skilled	600-25-725-35-900-40-1300
		5      5      10
II	Semi-Skilled	420-20-520-25-645-30-945
		5      5      10
III	Unskilled	250-15-325-20-425-25-675
		5      5      10

S. V. Nevagi  
Presiding Officer  
Industrial Tribunal

Order

No. 28/18/90-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Goa Steel Rolling Mills Private Limited, Bicholim, Goa, and their workman Shri Shivaji Bhalerao, represented by Goman-tak Mazdoor Sangh, Ponda-Goa in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji-Goa, constituted under section 7-A of the said Act.

#### SCHEDULE

"Whether the action of the management of M/s. Goa Steel Rolling Mills Private Limited, Bicholim-Goa, in terminating the services of their workman Shri Shivaji Bhalerao, with effect from 1-7-1989 is legal and justified?

If not, to what relief the workman is entitled?"

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 13th June, 1990.

Order

No. 28/7/90-LAB

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the Mapusa Municipal Council and their workmen represented by the Goa Municipal Workers' Union in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji-Goa, constituted under section 7-A of the said Act.

#### SCHEDULE

"Whether the following daily rated workmen of the Mapusa Municipal Council entitled to be declared as permanent?

- (1) Shri Kareappa E. Naik.
- (2) Shri Bassavraj Mohre.
- (3) Shri Rama D. Naik.
- (4) Shri Chandrakant Betkokar.
- (5) Shri Prakash Pujari.
- (6) Shri Demappa Pujari.
- (7) Shri Satappa Harijan.



- (8) Shri Shivaji Harijan.
- (9) Shri Radrappa Prasannawar.
- (10) Shri Arjun B. Kamble.
- (11) Shri Arjun S. Naik.
- (12) Shri Fakirappa Sangappa Harijan.
- (13) Shri Tukaram Dhupdale.
- (14) Shri Gudappa Savji.
- (15) Shri Magtumulla Puri.
- (16) Shri Gonsalves Trindade.
- (17) Shri Sagun Kotkekar.
- (18) Smt. Shevpati Naik.

If so, from what date?

If not, to what relief the above workmen are entitled?"

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 19th June, 1990.

### Finance (Revenue and Control) Department

Order

No. 6/10/85-Fin(R&C)

- Read: i) Government order No. Fin (Rev)/2-36/Part/4/74 dated 21st March, 1980.
- ii) Finance (Rev)/2-36/Part/4/74 dated 14th May, 1981, regarding constitution of Sales Tax Advisory Committee.
- iii) Government order No. 6/10/85-Fin(R&C) dated 9th August, 1985.

Government is pleased to reconstitute the Sales Tax Advisory Committee with the following members to assist the Government in the smooth and efficient administration of the Sales Tax Law in this Territory:

1. Shri Vinayak V. Naik, M.L.A. Tivim — Chairman.
2. Shri Shankar K. Salgaonkar, M.L.A. Pernem — Member.
3. Finance Secretary — Member.
4. Managing Director, GHRSSIDC — Member.
5. Director of Industries and Mines — Member.
6. Representative of the Goa Mining Association — Member.
7. Representative of the Economic Development Corporation — Member.
8. Representative of the Goa Chamber of Commerce and Industry — Member.
9. Representative of the Goa Small Scale Industries Association — Member.
10. Representative of the Goa Auto Spare Parts Dealers' Association — Member.
11. Representative of the Goa Wine Merchants' Association — Member.
12. Representative of the Confederation of Engineering Industries, Goa Branch — Member.
13. Representative of the Goa Hotel and Restaurant Owners' Association — Member.
14. Representative of the Builders' Association of India, Goa Branch — Member.
15. Representative of the Institute of Chartered Accountants, Goa Branch — Member.
16. Commissioner of Sales Tax — Member Secretary.

### Functions of the Committee:—

- i) The Committee will function in an advisory capacity. It will make suggestions generally in regard to removal of procedural defects and inconveniences caused to the trade and the public in other ways. The Committee will also assist Government in devising suitable measures to prevent the evasion of tax. Government may also consult the Committee on any other matter relating to the administration of the Sales Tax Law.
- ii) The Committee will not deal with the question of internal organisation of the Sales Tax Department or of appointments, transfers and discipline of the staff. It will not make recommendations in regard to cases of individual dealers or call for any information relating to them.
- iii) The Committee shall meet at Panaji at least once in every six months, at a place to be fixed by the Chairman from time to time, to discuss the matters as per the agenda prepared and circulated in advance by the Member-Secretary. The agenda of the meeting may include subjects referred to the Committee by the Government or proposed by any member, but a member who proposes to include a subject in the agenda shall ordinarily give 15 days' notice thereof to the Member-Secretary.
- iv) The Official members attending the Committee meetings will be treated as on duty and will be entitled to TA/DA wherever admissible under the normal rules. The non-official members will be entitled to TA/DA as admissible to Grade I Officers in accordance with the Supplementary Rules. The expenditure on TA/DA of non-official members will be debited to the Budget Head "2040—Sales Tax".
- v) The Head quarters of the Committee shall be at Panaji.

By order and in the name of the Governor of Goa.

K. M. Nambiar, Under Secretary (Fin. Exp.).

Panaji, 6th June, 1990.

### Finance (Expenditure) Department

Addendum

No. 6/25/89-Fin(Exp) Pt. file

Read: Govt. Order No. 6/25/89-Fin(Exp) dated 21-5-1990 regarding posting of Shri Digamber Shirodkar, on his promotion to the post of Assistant Accounts Officer to the Goa University on deputation.

The following paras may be added to the Govt. order cited above as para 2 and 3:—

"2. The deputation period of Shri Shirodkar in the Goa University shall be for a period of one year in the first instance".

"3. The Goa University shall be liable to pay to Shri Shirodkar for the surrender of leave (leave encashment) as required under the leave encashment rules".

By order and in the name of the Governor of Goa.

K. M. Nambiar, Under Secretary (Fin Exp.).

Panaji, 19th June, 1990.

### Law (Establishment) Department

Notification

No. 5-40-8/89/LD

In exercise of the powers conferred by section 3 of the Notaries Act, 1952 (Central Act 53 of 1952), read with rule 8 of the Notaries Rules, 1956, the Government of Goa hereby appoints Shri Ashok Vaikunth Prabhu Dessai, Advocate, Margao, as a notary for a period of three years with effect from the 15th day of June, 1990, to practise in the area of Margao Judicial Senior Division.

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Law).

Panaji, 15th June, 1990.

**Notification by the High Court of Judicature  
Appellate Side, Bombay**

No. A. 1202/G/90

The Honourable the Chief Justice and Judges grant Shri Alvaro de Noronha, Ferreira, District and Sessions Judge, Margao, earned leave for 9 days from 25 June, 1990 to 3 July, 1990, with permission to prefix 23rd and 24th June, 1990 being fourth Saturday and Sunday respectively and to suffix 4 July 1990 being holiday, thereto.

On return from leave Shri Ferreira is reposted as District and Sessions Judge, Margao.

The Additional District and Sessions Judge, Margao, is kept in charge of the post of District and Sessions Judge, Margao,

in addition to his own duties, during the leave period of Shri Ferreira.

High Court, Appellate Side,  
Bombay, 11 June, 1990.

S. V. Joshi  
Registrar.

**Corrigendum**

No. A. 3945/G/83

Read the name Shri "D. M. Katkar" appearing at Serial No. 3 under heading 'Margao District' in paragraph No. 2, on page No. 2 of the High Court Notification No. A. 3945/G/83, dated 4th May, 1990, instead of the name "Shri V. M. Katkar."

High Court Appellate Side,  
Bombay, 11 June, 1990.

S. V. Joshi  
Registrar.

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